

Message Text

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ACTION DLOS-07

INFO OCT-01 AF-10 ARA-16 EA-11 EUR-25 NEA-14 RSC-01 ISO-00

CG-00 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03 NSAE-00

NSC-07 PA-04 PRS-01 SP-03 SS-20 USIA-15 JUSE-00

ACDA-19 AEC-11 AGR-20 DOTE-00 FMC-04 INT-08 FEA-02

OMB-01 OIC-04 DRC-01 AID-20 CEQ-02 COA-02 COME-00

EB-11 EPA-04 IO-14 NSF-04 SCI-06 /291 W

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R 041652Z JUL 74

FM AMEMBASSY CARACAS

TO SECSTATE WASHDC 4501

INFO USUN NEW YORK 620

UNCLAS CARACAS 6147

FROM US DEL LOS

DEPT PLEASE PASS ALL DIPLOMATIC POSTS

EO 11652: NA

TAGS: PLOS OGEN

SUBJECT: UNCLASSIFIED LOS SUMMARY WEEK ENDING 6/27

1. FIRST WEEK OF 10 WEEK LOS SESSION GOT OFF TO ENCOURAGING
START WITH APPROVAL AMENDED RULES OF PROCEDURE ON SCHEDULE JUNE 27.
OUTCOME RESULT OF STRENUOUS EFFORT ON PART OF CONFERENCE PRESIDENT
AND KEY DELEGATIONS TO AVOID OPENING CONFRONTATION; ALSO REFLECTION
OF GENERAL ATMOSPHERE OF SERIOUS INTENTION NEGOTIATE SUBSTANTIVE
POSITIONS WITH MINIMUM INJECTION POLEMICS AND EXTRANEIOUS ISSUES.
IN PRESS CONFERENCE PRIOR TO OPENING SESSION AMBASSADOR STEVENSON
EMPHASIZED NEED TO SEEK BROADLY ACCEPTABLE AGREEMENT AND US
WILLINGNESS TO NEGOTIATE TO THAT END. AMBASSADOR ALSO TOOK
OCCASION SUCCESSFUL CONCLUSION RULES NEGOTIATION TO EMPHASIZE
IMPORTANCE SUBSTANTIVE TASK AND HOPE MATTERS NOT DIRECTLY GERMANE
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TO SUBSTANCE WILL NOT ARISE IN TREATY DRAFTING FORUM. END SUMMARY.

2. SUBSTANCE: OUTLINES OF EMERGING CONSENSUS ON KEY ELEMENTS OF TREATY AGREEMENT APPEARING MORE CLEARLY AS RESULT CONCLUSION ON PART OF MOST STATES THAT OVERALL OCEANS TREATY DESIRABLE AND RECOGNITION THAT EFFECTIVE TREATY REQUIRES GENUINE ACCOMMODATION OF INTERESTS. FORMAL AND INFORMAL STATEMENTS DURING WEEK INDICATE BROAD SUPPORT FOR AGREEMENT ON 12 MILE TERRITORIAL SEA LIMIT WITH GUARANTEE OF UNIMPEDED TRANSIT THROUGH AND OVER INTERNATIONAL STRAITS

,
COUPLED WITH BROAD COASTAL STATE ECONOMIC JURISDICTION IN AREAS BEYOND WITH MOST STATES ENDORSING 200 MILE LIMIT, AND INTERNATIONAL REGIME AND MACHINERY FOR DEEP SEABED.

3. PRESS COMMENTS ON ECONOMIC ZONE: IN PRESS CONFERENCE AMBASSADOR STEVENSON REEMPHASIZED US VIEW THAT PARTICULAR LIMIT OF ECONOMIC ZONE OF LESS IMPORTANCE THAN CONTENTS OF RIGHTS AND DUTIES WITHIN THE ZONE TO PROTECT NON RESOURCE USES AND COMMON INTERNATIONAL COMMUNITY INTERESTS. AMB NOTED THAT IN CASE COASTAL STATE CONTROL OVER FISHERIES US BELIEVES THAT WHERE COASTAL STATE DOES NOT HAVE CAPACITY TO TAKE MAXIMUM CATCH CONSISTENT WITH CONSERVATION RULES, THERE SHOULD BE AN INTERNATIONAL OBLIGATION TO PROVIDE ACCESS FOR OTHERS. HE ALSO NOTED IMPORTANCE OF DISPUTE SETTLEMENT MACHINERY WITHIN THE ZONE, AND NECESSARY EXCEPTIONS TO COASTAL ZONE RESOURCE RIGHTS CITING AS EXAMPLE, THAT HIGHLY MIGRATORY SPECIES SUCH AS TUNA CAN ONLY BE APPROPRIATELY DEALT WITH BY INTERNATIONAL ARRANGEMENTS. STATING THAT BOUNDARY LIMITS SHOULD NOT BE FOCAL ISSUE OF DISCUSSION ON ECONOMIC ZONE AMB SAID THAT LIMITS WOULD NOT BE OBSTACLE TO REACHING SOLUTION "IF WE ON THE ONE HAND HAVE A GENERALLY SATISFACTORY OVERALL PACKAGE DEALING WITH OTHER ASPECTS, AND IF STATE CONTROL IS TEMPERED AND LIMITED BY THESE INTERNATIONAL STANDARDS."

4. RULE OF PROCEDURE: PROCEDURAL DISPUTE CENTERED ON RULES DEALING WITH VOTING MAJORITIES WITH SPECTRUM OF OPINION RANGING FROM THOSE FAVORING GA RULES OF MAJORITY OR TWO-THIRDS OF THOSE PRESENT AND VOTING, TO ORIGINAL SOVIET PROPOSAL OF MAJORITY OF NINE TENTHS. RESULT WAS CAREFULLY STRUCTURED THREE PART PACKAGE INCLUDING ENDORSEMENT OF GENTLEMANS AGREEMENT ADOPTED AT LAST UNGA TO EFFECT THAT WORK OF THE CONFERENCE SHOULD PROCEED TO DEGREE POSSIBLE WITHOUT VOTING UNTIL ALL EFFORTS AT CONSENSUS EXHAUSTED,
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A COOLING OFF PERIOD PRIOR TO VOTING, AND UPGRADED MAJORITIES. EFFECT OF REVISED RULES IS TO AVOID AFFIRMATIVE DECISIONS TAKEN BY NUMERICALLY SMALL MAJORITIES AS RESULT LARGE NUMBER OF ABSTENTIONS, AND TO PROVIDE EVERY OPPORTUNITY FOR CONSULTATION AND "COOLING OFF" IN ORDER TO OBTAIN A CONSENSUS. STATEMENTS MADE IN CONNECTION WITH ADOPTION OF REVISED RULES THEMSELVES BY PROCESS OF CONSENSUS SUPPORTED VIEW THAT CONSENSUS DOES NOT MEAN UNANIMOUS AGREEMENT.

5. DETAILS: A. GENTLEMANS AGREEMENT WAS MADE ANNEX TO RULES OF PROCEDURE AND AS STATED BY CONFERENCE PRESIDENT WILL CONSTITUTE OPERATING PRINCIPLE OF WORK OF CONFERENCE. B. UNDER REVISED RULE 37 A DETERMINATION THAT EFFORTS AT CONSENSUS HAVE BEEN EXHAUSTED WILL BE DECIDED BY VOTING RULES GOVERNING SUBSTANTIVE QUESTIONS. C. PRIOR TO A VOTE THE PRESIDENT MAY, AND MUST IF REQUESTED BY 15 DELEGATES, DEFER A VOTE FOR A MAXIMUM OF 10 DAYS. 2 DAYS NOTICE OF INTENTION TO HOLD VOTE IS REQUIRED. "COOLING OFF PERIOD" IN MAIN COMMITTEES IS 5 DAYS. D. IN PLENARY VOTE ON SUBSTANTIVE MATTERS WILL BE BY TWO THIRDS OF THOSE PRESENT AND VOTING PROVIDING AFFIRMATIVE VOTE EQUAL TO MAJORITY OF PARTICIPANTS IN CONFERENCE SESSION (ABOUT 74). E. IN MAIN COMMITTEES USUAL CONFERENCE RULE OF MAJORITY OF THOSE PRESENT AND VOTING APPLIES HOWEVER, UNDER REVISED RULE ON QUORUM, A QUORUM REQUIRED TO TAKE A VOTE ON A SUBSTANTIVE ISSUE IS A MAJORITY OF CONFERENCE PARTICIPANTS. TREATY WILL BE VOTED ON AS A WHOLE.

6. CREDENTIALS: WITH EXTRAORDINARY EFFORT BY CHAIRMAN, SUPPORTED BY GENERAL DESIRE TO MAINTAIN CONSENSUS, VOTE AVOIDED ON CHINESE AMENDMENT TO RULE 4. FINAL TEXT PERMITS, AS PREVIOUS TEXT, EXAMINATION OF CREDENTIALS OF NEW PARTICIPANTS AT SUBSEQUENT SESSIONS, AND OF SUCH OTHER AS CREDENTIALS COMMITTEE MAY DECIDE.

7. PROSPECTS: OPERATION OF CONSENSUS ON RULES AND AVOIDANCE OF CREDENTIALS ISSUES ENCOURAGING SIGNS OF SERIOUSNESS APPROACH TO SUBSTANTIVE NEGOTIATIONS. PLENARY WILL HEAR GENERAL DEBATE STATEMENTS FOR A WEEK HOWEVER PRESIDENT SOUGHT AGREEMENT THAT MAIN COMMITTEES PROCEED CONCURRENTLY WITH ORGANIZATION OF WORKING GROUPS AND AGENDA ITEMS. EXPECTED THAT MAIN COMMITTEES WILL FOLLOW ORGANIZATION IN UN SEABED COMMITTEE. US CONTINUING TO EMPHASIZE IMPORTANCE OF SUBSTANTIAL COMPLETION DRAFT TEXTS AT THIS SESSION. STEVENSON

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NOTE BY OCT: NOT PASSED.

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Message Attributes

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